The question before the House is that the supplementary grant for Rs. 38—2—10 under "7 Anchal" (Cranganur) be put to the vote of the House.

The motion was put to the vote and carried.

RESOLUTIONS ON MATTERS OF GENERAL PUBLIC INTEREST.—Continued.

Deletion of the rule regarding the retirement of officers at the age of 55.

President.—We will now continue the discussion of the resolution which was discussed in part some days back.

Mr. N. Padmanabha Menon.—I rise to a point of order, Sir. The Hon'ble Member for Jenmies has moved an amendment. My point of order refers to that amendment. The amendment moved by the Hon'ble Member for Jenmies is not in order under Standing Order 24. It is an amendment that has got the effect of negativing the original proposition. I believe it to have been seconded last time.

President.—Was it seconded last time?

Dr. A. G. Menon.—No, Sir.

Rao Sahib Mr. T. V. Kasturi Ranga Ayyar.—Before it is seconded, we are to see whether it is in order.

Mr. N. Padmanabha Menon.—It is open to me to raise a point of order.

President.—There is something in what the Diwan Peishkar says. It is open to any Member to raise a point of order when an amendment is moved, and if it is found to be not in order. Why should any discussion be allowed on that? Is it not, so Mr. Raja? Should you not see that a particular question is in order or not? Why should we first discuss and then see whether any Member is seconding that amendment?

Dr. A. G. Menon.—That amendment was not soconded.

President.—Then it goes by itself. But Mr. Padmanabha Menon says that he is not concerned about its being seconded. The only objection is to the moving of the amendment. I think I shall consider your objection. S. O. 24.—"An amendment which has the power of negativing a proposition cannot be allowed".

Mr. N. Padmanabha Menon.—That is one objection, and the amendment when read does not clearly raise a definite issue. The amendment when read will run thus:—"This Council recommends that "no officer who has attained his 55th year should retire from the Government service" may be inserted in the Service Rules.

President.—The resolution as amended will read thus.—

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"This Council recommends that no officer who has already attained his 55th year should retire from the Government service".

Mr. N. Padmanabha Menon.—One point is that it has got a negative effect. It is negativing the original resolution.

President.—The original rule is that the officer should retire on his attaining the 55th year. He says he ought not to resort to this main resolution—age—limit—but he must be continued in the service, and Mr. Raja's amendment is also to the effect that he must be retained even after the age of 55. You must keep him in the service till he dies.

Mr. N. Padmanabha Menon.—The original resolution is for deleting a certain clause from the Standing Order, and the amendment is for the insertion of another clause in the Standing Order.

President.—It is on account of a particular rule that officers are asked to retire on attaining 55 years of age, and if this rule is deleted, it says that there is no bar for any person to continue even after 55 years. The amendment says that he should be allowed to continue after 55, if he is willing. It does not lie within the option of the Government to send them away.

Mr. N. Padmanabha Menon.—The new clause must be inserted in the Service Regulations. The old clause must remain, and the new clause must be inserted.

President.—It runs : "This Council recommends that no officers who have already attained the 55th year should be asked to retire from the Government service".

Mr. K. Achyuta Menon.—So far as the mover of the resolution is concerned, he wants the rule to be taken away, whereas the Hon'ble Member for Jenmies wants the old rule to stand as it is.

President.—If this resolution is given effect to, it will come to this, that officers may continue in service in spite of having attained the 55th year.

Mr. K. Achyuta Menon.—The amendment seeks to retain the original rule. The mover wants the rule to be deleted.

President.—Further, what is the result of that deletion? He wants that rule to be deleted and its effect is that those who have attained 55 years may be retained as long as they like and as long as the Government desires them.

Mr. K. Achyuta Menon.—To give effect to this amendment, only an amendment is necessary in the Standing Orders.

Mr. C. A. Kunjunni Raja.—You have rightly understood me.

Dr. A. G. Menon.—He wants an insertion only.

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Mr. N. Padmanabha Menon.—The original resolution is for the deletion of a certain clause. It must be treated as a subsidiary resolution, whereas it is moved as an amendment, which, if allowed, will have the effect of a negative vote.

Mr. A. Sankara Puduval.—The amendment should not be inconsistent with the original resolution.

Mr. M K. Raman.—The question is whether it is a deletion or insertion. The resolution of the Hon'ble Member for Irinjalakkuda is that the rule that persons after their 55th year must retire from service should be deleted. But the amendment of the Hon'ble Member for Jenmies is not to the deletion of that rule but that they should not be asked to retire after the age of 55. As it is, it reads "This Council recommends that no officer should retire after attaining the age of 55 from the Government Service". The amendment goes only one step further, that is to say, "without attaining his 55th year Government should not insist on the retirement of an officer." The resolution is that, after attaining the 55th year, when a person is entertained, he should continue.

President.—According to you, it is not the question of deletion or insertion that we have to attach importance. It is to the substance of the resolution.

Diwan Bahadur Dr. V. Verghese.—The Standing Order should continue in future also. It provides that those who were given extension should remain.

President.—He is opposing the deletion, and in so opposing, he wants it to be amended in a particular way.

Rao Sahib Mr. T. V. Kasturi Ranga Ayyar.—We had no time to consider the amendment, and I think it cannot be allowed under the Legislative Council Rule 35 (c).

President.—A subsidiary resolution cannot be allow unless it comes as a separate resolution.

Rao Sahib Mr. T. V. Kasturi Ranga Ayyar.—It may apply to amendments also. As it is, it may affect the substance of the original resolution also. Ordinarily, the provision is that officers should retire when they complete 55 years. He does not want that rule to be deleted. What he wants to say is that people who have already completed 55 years may be allowed to remain in service. There should not be a rule for granting extensions for one year and so on. Let them remain as long as they want. I say, for establishing a healthy convention in regard to the resolution affecting public interest and public service, there must be a certain sort of dignity. There may be difference of opinion, and our attention has been drawn to the fact that the

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resolution as proposed to be amended may be brought under the purview of section 35 (c). I say that is only one view of the point.

Mr. C. A. Kunjunni Raja.—My words have become difficult to be explained. Let us see what the result of the resolution is. The Member for Irinjalakkuda wants to remove a certain section, and the result will be that all officers will be allowed to continue even after 55 years. I do not want to go so far. In the case of those whose capacity has already been tested, they may be allowed to continue. The result will be that Government will exercise their discretion. If one has become an old man, and if he has lost his memory and physical vitality, he should be asked to retire. This is the rule observed elsewhere also. Let us take each man's case. Of course, if he is found incompetent, he will not be retained in service, and due to other disqualifications also, he may be sent away before that age. It should be left to the discretion of the Government.

Rao Sahib Mr. T. V. Kasturi Ranga Ayyar.—The words used were not proper. So I object to it.

President.—This kind of procedure cannot be allowed on the floor of this House. There is no distinction between official and non-official Members, and I will only be too glad to stop such practice. Some expressions may escape my notice, and they may perhaps catch your ears.

Mr. N. Padmanabha Menon.—What is the expression objected to ? The reflection was only to the capacity.

Mr. A. K. Vengu Ayyar.—" The hand shivering, intellect becoming soft, etc.' Are they not personal reflections ?

Dr. A G. Menon.—The President himself said that old age is second childhood. It is only an universal truth.

Mr. A. Sankara Puduval.—Under the Standing Order the clause may be opposed.

Mr. N. Padmanabha Menon.—That is, after the discussion of the amendment. My point of order was that even that amendment should not be discussed

President —I rule that Mr. C. A. Kunjunni Raja's amendment is not in order. The next amendment is standing in the name of Mr. C. A. Ouseph, who is absent, and so it must be taken to have been withdrawn in his absence. There are no more amendments in respect of this resolution. There is only the main resolution before the House.

Mr. A. Sankara Puduval.—Sir, I rise to oppose this resolution. It seems to me that the main idea with which the resolution has been moved is fundamentally wrong. I have

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made a thorough study of *the Cochin Civil Service Regulations*, and I do not find anything therein relating to the retirement of superannuated officers on the ground of infirmity or old age. It seems to me that this provision in *the C. S. R.* has been inserted in the best interests of the Civil Service. The expression 'old age' is conspicuous by its absence in sections 201 to 204. The officers in the superior service are only subject to the operation of these rules. The officers in the inferior service are not subject to the operation of this rule. It would seem to follow that the officers of the superior service have to do more brain work than the officers in the inferior service, and when an officer is confirmed in the superior service, he has to produce a medical certificate showing that he is mentally and physically fit for being confirmed. The presumption is that he is mentally and physically fit for the work. Section 190 relates to the retirement with an invalid pension. It runs thus—" An invalid pension is awarded on his retirement from the public service to an officer, who by bodily or mental infirmity is permanently incapacitated for the public service or for the particular branch of it to which he belongs".

When an officer wants to retire on invalid pension, the Government insists that he should be asked to produce medical certificate to show that he is unfit. It reads as follows:— "Incapacity for service must be established by a medical certificate attested by the Chief Medical Officer or any Medical Officer of a similar status in British service who may be authorised by the Diwan in this behalf."

So much so that, when an officer in the superior service has been confirmed and he is in service, the presumption under *the C. S. R.* is that he is physically fit to carry on his duty, and again it is important to note that the Diwan, when, by the exercise of his powers conferred upon him under section 201, gives the superannuated officers an extension, a medical certificate is not insisted upon. Extensions are granted under rule 101 for a period of one year at a time. In the case of a superannuated officer who has been confirmed and who is doing his work, the presumption is that he is fit and competent to go on with the work, so that there is absolutely nothing in these rules, so far as I have been able to study, disqualifying an officer in the superior service from holding an appointment after 55 years on the ground of infirmity or old age. I say that this rule has been enacted in the best interests of the service. The superannuated officers must also be allowed their due share and preference. So that, when an officer attains his 55 th year, he has to retire from service unless the Diwan thinks the public exigencies re-

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quire his retention for a year or so, and I am here to contend that inasmuch as the rules have been framed in the best interests of the service as a whole, it would be graceful, it would be the duty of the superannuated officers not to request for any extension of service. If really the Government finds that it is impossible to go on without any particular officer being retained in service for a year or so, the move comes from the Government itself. The other aspect of it with which we have been unpleasantly familiar, I say, is not wanted by *the C. S. R.* and it is not desirable. What is this old age referred to? Old age has absolutely nothing to do with this matter. May I appeal to the good sense of the Members of this House whether the age of 55 is a disqualification? If a professional man, say a vakil, could go on with his work after 55, if a merchant could transact his business after 55, if a gentleman with the necessary qualification could serve our Municipal Councils after the age of 55, and if a gentleman can be elected as a Member of the Legislative Council after the age of 55, I do not understand why the age of 55 should be a disqualification. After all, what is old age? Old age has been told now as only a feeling, and it does not depend upon the number of years. Therefore I am opposing it. The main ground is that the rule has been enacted in the best interests of the officers who have attained the age of 55 by virtue of their old age, and it has absolutely nothing to do with the matter, and that ground has been brought forward in support of it. Old age has nothing to do with it. What I want to impress upon the House is that this rule has been enacted only in the best interests of the service without any consideration whatsoever being paid to old age. It is only a feeling of mental and physical debility. As a matter of fact, persons below the age of 30 might feel this debility.

President.—Therefore, you will say it is only an arbitrary limit.

Mr. A. Sankara Puduval.—When an officer enters into the Government service, he knows that he has to be above 18 years of age, and he also knows that he can serve the Government till the age of 55. Beyond that the Government expects, in his own interest and in the interest of the people, that he should retire from service and devote his life to the best interest of the motherland in other directions. For more than that period, you do not want his existence in the service. They say 'you are matured in age. You should utilise the remaining part in some other walks of life for the betterment and the prosperity of the motherland.' It is for this purpose that these

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rules have been enacted. So far as I have been able to see, old age is only a feeling. It is like grey hair. We find grey hair in people of 25 or 30. It will mainly depend upon the constitution of a man, his diseases and the right or wrong way of life that he has led. If an officer happens to be invalid or in-efficient to carry on the work in a particular department, he should be invalid under section 190. In other respects it seems that the arguments advanced by the Hon'ble the mover has no application whatsoever.

The object in framing the rules is that we must use our own faculties to the best interests of life in other walks of life. Therefore, I am of opinion that sections 202 to 204 should be retained in the rules. I only appeal to the members who have attained a superannuation limit to exercise their discretion and their sense of responsibility towards their subordinate officers to volunteer, of their own accord, to vacate their offices and I say this resolution, as it is, has no meaning, and it should not be passed by this House.

Mr. T. A. Ramachandra Ayyar.—It has been my rare fortune to listen to the speech of the mover for 15 minutes without knowing whether he was in earnest or in joke. Considering his general attitude towards the officialdom, it is impossible for me to think even for a moment that he was in earnest. However, taking his arguments in a serious manner, I shall deal with them one after another. The first point raised was that those who continue in service after the 55th year may either be actuated by self-interest and self-gratification or a patriotic feeling to serve the people. And the mover preferred to think that the latter was the operative cause that induced the officials to continue in service. With due deference to the opinion of the mover, I beg to differ entirely from him and attribute self-interest and avarice as the motives that induced the officials to stick to their places indefinitely.

Rao Sahib Mr. T. V. Kasturi Ranga Ayyar.—I object to the expression of that word 'avarice'.

Mr. T. A. Ramachandra Ayyar.—If I remember right the late Superintendent of Industries was in British service, entered Mysore Service, retired from there and entered our service,

Rao Sahib Mr. T. V. Kasturi Ranga Ayyar.—I don't think that it will be right to speak of people who are not here.

Mr. T. A. Ramachandra Ayyar.—Then there are samples of such men in this House itself. We have instances of officers who have retired not once or twice but even three times, sticking to service. What should have been their motive, if it is not avarice?

President.—Have you investigated the case whether they were asked by the Government to remain? Because you found an officer above the age of 55, you thought that he was actuated

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by self-interest. The thing is he was requested to continue in service.

Mr. T. A. Ramachandra Ayyar.—This is my opinion of the matter. Are there not instances in which officers applied for extension and got it ?

President.—Their services were considered to be absolutely necessary for the State, and they were requested by the Government to remain. Without any request from them, Government requested them to continue. Why do you put an uncharitable construction upon it ?

Mr. N. Padmanabha Menon.—From the particular instance referred to, are we to understand that they were requested by the Government to continue ?

President.—I may say there are cases in which, on the request proceeding from the officer in service, extension has been granted. There are cases also where requests have proceeded from the Government. In some cases extension has been allowed, and in some cases it has not been allowed. The general policy of the Government is not to grant extension. They will not be granted extension unless, in the interest of the public, Government want such an officer. Suppose an officer were to say 'I have completed my 55th year ; I am to retire from service now, but my debts are not cleared ; so, please have mercy on me ; let me get some more money and let me get on in the world' the Government will not grant him extension.

Mr. A. B. Salem.—I think the Hon'ble Member for Nellayi did not cast any personal reflection on anybody. He only said it comes to that. I do not think he should be penalised.

President.—If the cap does not fit him it will be asked to be taken away. I take objection on that ground.

Dr. A. G. Menon.—It is fitting.

The House rose for lunch at 2 p. m. and re-assembled at 3 p m.

President.—You have not finished your written speech. I suppose you would have considered all the words carefully before reducing them to writing. This fact should also have to be remembered. This is not a resolution of a serious nature. I hope you will give due regard to the feelings of the Members, and speak only what is absolutely necessary. The word 'avarice' does not come with good grace. What is the second point ?

Mr. T. A. Ramachandra Ayyar.—The second point he raised was that, while this rule may be useful and necessary for Travancore and British Malabar, it is not at all applicable to Cochin State for the reason, as the mover put it, that the salubrious nature of the Cochin climate rejuvenates old men just

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like the transplantation of the monkey gland and make them young, sound, energetic and vigorous, both mentally and bodily, to carry on the arduous task of administration.

President.—What is the use of repeating all these words here? You are only asked to make a speech.

Mr. T. A. Ramachandra Ayyar.—Sir, I object.

President.—What is your objection? Why do you repeat what the mover has said? It is unnecessary here. You are just repeating what the mover has said. Repetitions should be avoided.

Mr. T. A. Ramachandra Ayyar.—Is there any objection to repeat a statement, Sir? I am going to oppose what he has said.

President.—For that, I suppose, repetition is not necessary.

Mr. T. A. Ramachandra Ayyar.—With due respect to his medical knowledge, I am not a great believer either in monkey gland transplantation or the salubrious nature of the Cochin climate. I am really surprised that the mover should do anything to enable officials who are only too glad to stick to their own places, to continue their official career indefinitely. The question of extension of service of the higher officials has become almost a scandal in the State.

President.—You ought not to use such expressions. Is that a scandal?

Mr. T. A. Ramachandra Ayyar.—If you refer to so many local papers, you will see.

President.—Local papers should not be your guide.

Mr. T. A. Ramachandra Ayyar.—This is the opinion of the public also, and I am here to represent their views.

President.—You are a responsible Member of the Council, and as such you should preserve the dignity of the Council. Because papers say, you are not to come and speak and refer to them in public. Because so many things are said in public, you are not to refer to them in the Council. The Council is different from public platforms.

Mr. T. A. Ramachandra Ayyar. The opinion of the public I represent here. That is all.

President.—Not in the Council, but outside. Before you have commenced your speech, you should have thought over all these words. You should have weighed these words before you reduced them to writing. So all the more care is required on your part to see that you use only proper expressions in the Council. I cautioned you before you began, and we all realised—I think all the Members of this Council—that this is not a resolution of a serious nature, and the occasion is being taken only to cast

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some slur upon the actions of the Government. That is all that is being done. In my capacity as President, I am not allowed to play the note of a speaker. But I have got the right to see that the dignity of the Council is not impaired. In regard to the discussion of this resolution of a trifling nature—not at all serious—you want to ventilate all these, because it has been stated over and over again in this Council that you do not want to retain men 55 years old. You object to extension and the present occasion is only made use of for casting a slur on these officers, whose lot it has been to remain in service after being 55 years old.

Mr. T. A. Ramachandra Ayyar.—That is all I have to say.

President.—You don't want to continue?

Mr. T. A. Ramachandra Ayyar.—For the above reasons I emphatically oppose the resolution.

President.—But let it not be understood that I have cut the liberty of your speech. I am only raising objections to the objectionable language of your speech.

Mr. T. A. Ramachandra Ayyar.—Unfortunately, Sir, I am not a B. A., B. L.

President.—Is it not possible for you to become a B. A. B. L. hereafter? Why not you join the Law College and become a B. A., B. L.? That is not the way in which you should put things.

Mr. S. S. Koder.—Sir, I oppose both the resolution and the amendments. The resolution requests to delete the words "that an officer should retire on attaining his 55th year from the Government service" from the Service Rules, the reason for this being that the Government make it a practice to extend the services of each officer. I would certainly support the resolution, if this was the practice and not the exception. Now, what is the number of extensions now given? One can count them on his fingers. I do not hold any brief for the Government, but a little commonsense is necessary in sifting these things. Suppose a person gets sick in your house, where do you seek for a doctor? Do you go to a doctor who has just passed out of the College with a number of degrees attached to his name or do you prefer a man who had long experience and practice to your knowledge? I think there is no doubt that you take the latter course. The same case happens when you want a lawyer. You give preference to an experienced man to a newly passed out Bar-at-law. There is one thing more in the case of a doctor. If the services of a surgeon are required, you naturally think of a man who is young and whose hands would not shake. Here also there are exceptions. You would come across persons wh

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have passed 55 and whose hands do not shake, and I am sure you would all agree with me in including the veteran who is seated on the other side in this category. Now, what about Government's position? What is a government? Government consist of a certain number of persons who have the same feelings as we have; when an official completes his 55th year, they would naturally see if he is fit to continue further, and whether it is advisable to extend his term further, and they come to some conclusion. Are we, therefore, to find fault with the Government, if they act according to their considered opinion? I think certainly not. I, therefore, oppose this resolution with these few words.

Srimati T. Madhavi Amma.—It is a shame on the part of the Members of this Council to discuss a question which is of a very trifling nature.

Mr. A. B. Salem.—I rise to oppose this resolution.

President.—I suppose you would not have to indulge in personal reflections.

Mr. A. B. Salem.—I never indulge in such things. I think, Sir, that the rule that persons should retire at 55 is a very salutary one, and it ought to be retained in our Service Rules. No doubt, special circumstances may arise by which here and there we may have to deviate from the rule. Whatever it is, I think, we must bring the attention of the country to the practice of giving extensions, and I think it is the fear that these extensions may become more general in some higher quarters and higher circles of officers than in the lower circles that has brought this resolution on to the surface in this House. Of course, to get strong, old, mature people is a rarity, and I am not going to taboo them from coming into service. But I certainly think, Sir, that Service Rules are not to be construed in the light of efficiency, the capacity and ability of the officer concerned. There are many young men in service who enter service in the hope of getting vacancies coming in according to rules and to fill up those vacancies. You will, therefore, bar the progressive realisation of their emoluments and their rank, if you retain or entertain superannuated officers in the service, and the morale of your own service may be affected. It may be well answered. Oh! the officer that we have chosen is a capable officer. But the other man will say, 'True, but he blocks my way'. And there will be heart-burning. What is the remedy for all these things? There is an arbitrary rule—55. Already that is an arbitrary rule. It is not based upon the ability of the officer and is not conditional or anything like that. But in certain very particular circumstances, an extension may be

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granted. That, I think, should be the attitude of this House. This House should certainly protest against these superannuated officers being either retained or being entertained fresh in the service. I have no quarrel with those persons who are entertained. I have no quarrel about their retention either. But there are able young men who may have only a chance, if they retire. In France, everybody retires from business after they have made a decent competence. That is why you find there no agitation of this kind. Young men entertained in business houses are given opportunities by the elders retiring when they have attained a certain position and a certain age-limit. And that is a healthy rule which should never be violated in any State service. And certainly, Sir, it stands to reason, when we say that men who have attained 55 years must retire, it stands with double force that nobody who has attained 55 years, and who has retired from any service outside the State should be entertained here. They may be very competent indeed. But that is not the test. The test is, if there are other young men in the service when they retire. And after all what is the value of the Service Rules, if they are simply violated? I do not take the proposition as a joking proposition, and I think we ought to express ourselves clearly against extension.

President.—The resolution is not of a serious nature. What is the use of discussing it further?

Mr. A. B. Salem.—But, anyway, the principle affected is of a serious nature. At any rate, this rule ought to be retained and enforced. I, therefore, oppose vigorously the deletion of this article from the Service Rules.

Dr. A. G. Menon.—I also rise to oppose this resolution. But I am sorry that the mover is not here. Else I would have asked him to withdraw the motion, with the permission of this Council.

Mr. N. Padmanabha Menon.—Under Standing Order 26, I propose that the Council shall pass to the next item of business, as you, yourself, remarked that this is not of a serious nature, and there is no use of discussing it further.

President.—Just to point out how the matter stands, the official Members should be allowed to speak. Who are all to oppose on the Government side? Now, we have spent so much time on this resolution. So let them also have a say.

Mr. George Chakyamuri.—Sir, I should like to make a few observations with your permission. I also rise to oppose the motion.

Mr. K. T. Mathew.—I rise to a point of order.

Mr. George Chakyamuri.—The motion was made, but that was not seconded.

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Mr. N. Padmanabha Menon.—Under Standing Order 26, it is not a closure motion. It is a substantial motion to pass over to the next item of business in the agenda.

Mr. K. Sankaran Nambudiri.—I second it.

President.—Your motion is that the Council may pass over to its next item of business. What is the language of the Standing Order?

Mr. N Padmanabha Menon.—Standing Order 26.—"That the Council shall pass to the business next in order in the statement of business."

Mr. George Chakyamuri.—Before the motion is put to to the vote, I would appeal to the Members of the party to give me an opportunity to speak. It would be extremely unfair not to give us any opportunity.

Mr. N. Padmanabha Menon.—I was under the impression that no more speeches are to be made from the non-official Members, when I moved that motion.

Dr. A. G. Menon.—Has the party any right? That is the first question to be settled. He appeals to the party.

President.—All that is irregular.

The question that the Council shall pass to the business next in order in the agenda was put to the vote and lost.

Mr. George Chakyamuri.—I rise to oppose the motion put forward by the Member for Irinjalakkuda. However, I am grateful to him for giving me an opportunity to discuss on a subject on which, on several occasions, I myself have referred to in this House itself. This question of giving extended life to superannuated officers has become one that has caused universal discontent and disgust both among the official as well as the non-official subjects of His Highness the Maharaja. Of course, I have nothing personal to remark. I have no complaint against a particular instance. But I take it as the general policy, because in recent years it almost appears that in almost 75 per cent of the cases of officers in higher grades and Heads of Departments, that extension ought to be granted as a matter of course, whether it be at their request or at the request of the Government. I submit, as the Member for Jews observed, that this is not a question of inefficiency or a question of old age standing in the way of proper administration. If a man of 55 can administer properly, a man of 56 can also administer properly. But that is not the point. The point is that a line has to be drawn, and it has been drawn after mature consideration and deliberation. Now that there are educated and highly qualified men in almost all departments to take up the office of Heads of Departments, it is extreme cruelty to extend

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the lives of Heads of Departments and persons in the higher grades. I would request this House to enter into the feeling of Mr. Browning, when, at the age of 55, he was told "Look here, Mr. Browning, you are too old to serve". And in his place a man older than himself was put in. I would request this House to enter into the feelings of Dr. Coombes, when a similar story was enacted. This is clear. I would just advert to another instance in which a question was put by one of the non-official Members with regard to the giving of double increments with retrospective effect to a certain officer, i. e., the Chief Inspector of Schools. The answer was that he was given so on account of his long service and approaching retirement, but when the time came for retirement, I understand the Government was pleased to extend his period. This, I respectfully submit, is extremely unfair and flouting and trying to convince this House of certain facts and doing otherwise when opportunity occurs. To tell this House that we have given double increments to a certain officer with retrospective effect, because he is going to retire, and to extend his term when the time comes for him to retire, is certainly flouting the public opinion and trying to convince this House and doing things otherwise when opportunity arises (*Hear, hear*). As the President himself remarked, in some cases the officers are compelled to continue in their life by the Government, or rather requested by the Government to continue in their official career. I respectfully beg to submit that this position is untenable, and the Government has no business to act so as long as the section is there, unless it be quite impossible to go on without such a person. And unless the statute is respected by the Government, the non-officials would be morally justified in violating all the other statutes. I would consider it highly objectionable that these officers should themselves make a request for extensions. I would only refer to the illustrious example of no less a personage than our Ex-Maharaja. His Highness was a person who was never controlled by any provision of law. He might have continued for any length of time, if he wanted. But he retired in order to give place to the next seniors. He set an illustrious example to everybody in the State service by retiring in his 60th year. I am only sorry that he could have continued any number of years. But he wanted to set an example. I am only sorry that our officers are failing to take the example set by such an illustrious ruler of the State. With these observations, I beg to oppose the motion.

Mr. K. Krishna Pisharodi.—Sir, it is my painful duty to have to oppose this resolution of the Hon'ble Member for

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Irinjalakkuda—a resolution which is opposed to all canons of public service obtaining anywhere else, and which, if given effect to, would deteriorate, beyond conception, our whole public service, since the mover requires all officers to remain in service *ad infinitum*, whether they are old or not, throwing to the winds that efficiency of administration—the mainstay of all governments in the past and in the time to come.

Let us now see where we stand in the matter. Articles 201 and 292 of *the C. S. R.* lay down that an officer in superior service who has attained the age of 55 years shall be required to retire unless the Diwan considers that public interests require his retention and permits him to remain in office, and that an officer who has attained the age of 60 shall not be retained in the service of the State except in very exceptional circumstances and with the special sanction of His Highness the Maharaja.

The resolution now before the House proposes the abolition of the rule altogether. These rules have been laid down evidently on the obvious and well-founded fear that old age generally brings with it physical as well as mental infirmity, and that an officer who is 55 years old cannot ordinarily be expected to do the duties pertaining to his office with such efficiency as is desirable. Such a rule is in force in the sister States of Travancore and Mysore.

The Travancore Rule (Article 304, *the T. S. R.*) lays down that an officer who has attained the age of 55 may be required to retire, unless the Government or the Head of the Department as the case may be, considers him efficient and permits him to remain in the service". But as the premature retirement of an officer imposes a needless charge on the State, this rule should be worked with discretion. The rule further enjoins that Heads of Departments should always be disposed to extend to this rule a very liberal interpretation, so that the State may, in no cases, be deprived of the valuable experience of really efficient officers by the untimely exercise of the powers of compulsory retirement on pension.

The Mysore Rule (Article 321, *the M. S. R.*) is the same as in Travancore, with no alterations, and hence I do not want to quote it at length. Extensions here also are not to continue beyond the age of 60 years ordinarily. Here, however, all Executive Officers and Upper and Lower subordinates of the Public Works Department have to be compulsorily retired on their attaining the age of 55 years unless specially permitted by Government to remain in service on the score of their possessing special qualifications for some particular duty (Article 323, *the M. S. R.*).

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In British India the rule is as follows:—

Compulsory Retirement.

"Except as otherwise provided in this rule, a Government servant, other than a ministerial servant, is required to retire on attaining the age of 55 years. He may be retained in service after that age with the sanction of the Local Government on public ground, which must be recorded in writing, but he must not be retained after the age of 60 years except in very special circumstances.

"**Delegation by local Government.**—The Head of a Department is empowered to retain in service a Government servant, other than a ministerial servant, after he attains the age of 55 years and up to the age of 60 years provided that he or an authority subordinate to him is competent to appoint permanently to the post held by the Government Servant concerned. Extension should not be granted for more than one year at a time.

"A ministerial servant may be required to retire at the age of 55 years, but should ordinarily be retained in service, if he continues efficient, up to the age of 60 years. He must not be retained after that age except in very special circumstances, which must be recorded in writing, and with the sanction of the Local Government.

"The authority competent to appoint permanently to the post held by a ministerial Government servant who has attained the age of 55 years is empowered to retire or retain him in service up to the age of 60 years provided that extensions are not granted for more than one year at a time."

The rule regarding superannuation is thus not a new one in this State, and its deletion, Government fear, will result in the sacrifice of efficiency in service. Further, with the abolition of the existing rules, officers cannot be placed on the pension list, unless they retire voluntarily.

I think, however, that experienced and efficient officers of good health should not be retired merely on the ground of their attaining the age of 55, and hence the existing rule here makes provision for the retention of such officers and the rule is being worked with all the consideration and discretion it deserves.

The Hon'ble Member seems to think that the rule is being observed more in its breach than in its observance and that it is better to do away with such a rule; as for this I may state, for the information of the House, that the Government are guided by well, considered principles in this matter. They are exercising, with careful consideration, the power of extension of service after 55 years, vested in them both from the point of view of the individual, who would suffer by being deprived of his appointment, while capable of discharging its duties, and

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from the point of view of the finances of the State, which would suffer, were officers still efficient prematurely thrown on the pension list as the Hon'ble mover himself pointed out. They are also actuated by the desire that the State may, in no case, be deprived of the valuable experience of really efficient officers by the untimely exercise of the rules of compulsory retirement.

I hope that I have made sufficiently clear the policy underlying the grant of extension of service after the age of 55 years, and the Government are in this matter in the same boat as Travancore, Mysore and British India. They are therefore constrained to observe that they do not feel any necessity for changing the existing rule, which would result in impairing the efficiency of the service ultimately, which, I hope, no member of this House wants. With these observations I stoutly oppose the resolution.

Mr. George Chakkyamuri.—On a point of information, Sir. Was there any proposal made by the Government to His Highness to change the rule of 55 years to 60?

Mr. A. K. Vengu Ayyar.—Sir, this is not the first occasion when the so-called 55 years rule comes up for discussion in this House. On previous occasions also there was some talk about this. Now this has come up in the form of a resolution for a full dressed debate. From the speeches delivered, it seems that there is a change of attitude. Where you cannot win by arguments, resort to sarcasm. This seems to be the tactics adopted. Now, Sir, what is the rule that we are accused of sinning against? The relevant portion of it is thus:— "an officer in superior service who has attained the age of 55 shall be required to retire unless the Diwan considers that the puplic interests require his retention and permits him to remain in service". There is also a note to this Article which runs as follows:— "Extension of service after the 55th year can be granted only subject to an officer's good health, and the Government may retire the officer if he falls sick while under extension". As a matter of fact, the case of every officer who comes under this rule is carefully considered by the Government, the opportunity being taken of retaining the services of good officers while dispensing with the service of mediocre talents. The principle involved in the rule is only just in keeping with business principles. You will concede, Sir, that no business concern will adopt so suicidal a policy as to dispense with the services of its tried veterans, on the plea that they have reached their age limits, nor retain indefinitely the services of its second, rate men. In no depart-

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ment of life will such a policy lead to success, and in politics it must be pre-eminently so. It would be calamitous if capable men are pensioned off at the age of 55, as it would be equally calamitous to retain average men at that age and block the passage to others. The same rule or something akin to it existsin Tranvancore, Mysore and British India. The House will therefore feel that there is no necessity for making any departure from the present practice.

The only thing that we have to be particular about is to see that the power vested under the rules is exercised with caution. Only those invested with the responsibility can realise what amount of anxious deliberation is bestowed in disposing of such matters, since Government are alive to the fact that their best intentions are liable to be mis-construed In the few instances in which extensions of service have been granted, Government have no hesitation in saying that any dispassionate observer will endorse the view that such extensions have been given in the best interests of the public service. It is unpleasant to have to pick up individuals to illustrate the position, and so no attempt is made in that direction.

It was remarked by the mover of the resolution that Government, while they extended the period of the service of the heads of departments as they liked, declined to extend the same privileges to the poor subordinates who were certainly more in need of extension than any head of department. The question of need of extension is beside the point. Moreover, this is not a correct statement, since there are instances where such extensions have been allowed to officers of the subordinate ranks.

In conclusion I may say that the existing rule does not require any modification. It is not so compulsory as has been made out to be. The discussion all along has been proceeding regardless of the proviso to the rule and the note to it. It is an enabling provision for the carrying on of administration. It provides both for retirement and retention, and when the time arrives for an officer to retire, Government consider all aspects of the question befere asking him to retire. It will not be possible to dispense all at once with the services of officers which they consider to be good, simply because the officer has attained his 55th year. It is therefore necessary for Government to use their discretion in the matter, and the rule is framed accordingly. Goevrnment also do not lose anything, nor the public, by extending the services of their tried officers. The rule applies equally to high paid officers as low paid, and the effect of carrying out the resolution will to be expunge the

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pension rule as well. I, therefore, oppose the resolution.

President.—The resolution runs thus:—"This Council recommends that the rule that an officer should retire on attaining his 55th year from Government service may be deleted from the Service Rules."

The resolution was put to the vote and lost.

Mr. C. A. Kunjunni Raja.—I want a poll, Sir.

President.—Are you serious in asking for a poll?

Mr. C. A. Kunjunni Raja.—Yes, Sir. There may be neutrals.

President.—Then a poll may be taken. All the time I was thinking whether you were carrying on the debate in a serious manner.

For.

Mr. N. Padmanabha Menon.

Against.

1. Mr. C. Achyuta Menon.
2. Mr. K. Achyuta Menon.
3. Mr. V.K. Aravindaksha Menon.
4. Mr. O. R. Chummar.
5. Mr. George Chakyamuri.
6. Dr. A. G. Menon.
7. Mr. K. Govinda Menon.
8. Mr. E. Ikkanda Wariar.
9. Mr. K. P. Karuppan.
10. Rao Sahib Mr. T. V. Kasturi Ranga Ayyar.
11. Mr. V K. Kochunni Menon.
12. Mr. S. S. Koder.
13. Mr. M. Krishna Menon.
14. Mr. T. K. Krishna Menon.
15. Mr. K. Krishna Pisharoti.
16. Srimati T. Madhavi Amma.
17. Rao Sahib Mr. C. Matthai.
18. Mr. K. S. Rama Ayyar.
19. Mr. I. Raman Menon.
20. Mr. K. Raman Menon.
21. Mr. A. B. Salem.
22. Mr. K. Sankaran Nambudiri.
23. Mr. Sheik Abdul Qadir Sahib Bahadur.
24. Mr. V. B. Vaidyanatha Ayyar.
25. Mr. A. K. Vengu Ayyar.
26. Diwan Bahadur Dr. V. Verghese.

Neutrals.

1. Mr. I. E. Ambooken.
2. Mr. Chakko Cheruvattur.
3. Mr. C. N. Ittiravi Nambudiri.
4. Mr. C. A. Kunjunni Raja.
5. Mr. S F. Nunez.
6. Mr. T. A. Ramachandra Ayyar.
7. Mr. M. K. Raman

The resolution was lost by an overwhelming majority.

ii. *The dress which may be worn by officers, vakils, etc.*

Mr. C. A. Kunjunni Raja.—In bringing this resolution for the acceptance of this House, I shall be content by reading an extract from an article written by a distinguished son of India.

Mr. T. A. Ramachandra Ayyar.—Please give the terms of your resolution.

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Mr. C. A. Kunjunni Raja.—" This Council recommends that the Government may be pleased to issue circulars to all Government departments stating that it has no objection to officers, vakils, school-masters, clerks and menial servants attending offices, courts and schools dressed in *mundu or soman*, shirt and a second cloth ".

Mr. T. A. Ramachandra Ayyar.—I second it. Before he gives his arguments if a Member seconds it, has he lost the second chance?

President.—The resolution cannot be seconded unless it is discussed. I want to see that the resolution is submitted to the Council for discussion.

Dr. A. G. Menon.—For the admission of the resolution it must be first seconded. When I move a resolution there may be some to support me, and,—

President.—I am open to correction.

Mr. N. Padmanabha Menon.—The resolution has to be seconded.

Dr. A. G. Menon.—Only after hearing the speech. Before I give my reasons, how can I expect the House to support me? I am not going to canvass here.

President.—I was under the impression that there was no necessity for a discussion at all.

Dr. A. G. Menon.—Let me be more clear. Certainly it is left to the mover to speak on the resolution. I can give my reasons for the same.

Mr. N. Padmanabha Menon.—Rule No. 43 speaks to this.

Dr. A. G. Menon.—I do not care whether a Member supports me or not.

President.—Let us see.

Mr. N. Padmanabha Menon.—That was the practice and is the usual practice also. I may, after hearing his speech, second it.

President.—All right, we may follow it. Then Mr. C A. Kunjunni Raja may come forward.

Mr. C. A. Kunjunni Raja.—In moving this resolution, I shall be content by reading an extract from the pen of a distinguished son of India. The writer himself prefers, i. e., does not want to disclose his name. These are the extracts.—

"We dress for decoration, defence and decency, and we often signally fail. The natural clothing of many a mammal, with a more or less hairy skin like our own, puts our best efforts to shame". Recent enquiry has shown that in our customary ways

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of clothing ourselves, we are too clever by half, seeking to command nature without obeying her, and that, in consequence, "we die in heaps of coats and trousers and petty coats," as Mr. Bernard Shaw has said. In the Tropics, the natural and healthy clothing is a pigmented skin, the deep pigmentation of which serves, in so far as we understand the matter at present, both to exculde undesirable and excessive ultraviolet radiation, and to utilize those which are desirable. The most pigmented the skin, the greater its need for light, so much worse for the Negro in the temperate Zones. Europeans, who, under their demented and indecent ideas of decency, force their natives, directly connive at their wholesale destruction.

If one must wear clothes, they should be loose. All tight and constricting garments are objectionable. Tight boots cause corns, bunions and hammer-toes, tight-boots and gloves, by interfering with the circulation, cause chilblains in cold weather, tight collars interfere with the return of blood through the superficial views from the scalp and have been suspected, like tight hats, of thus contributing to baldness. Tight garters help to cause varicose veins.

All clothing next the skin should be absorbent. The skin sweats and the sweat must be dealt with. An absorbitant tissue must deal with the sweat where this cannot naturally evaporate.

In recent times the transmission of ultraviolet light by clothing has been studied in view of our knowledge of the hygienic properties of that agent. The study was begun by Dr. A. F. Hess of New York, following on his observations on the cure and prevention of rickets by ultraviolet light.

Our chief error in this country is doubtless that we overclothe our students, Government servants, vakils, &c., &c. What we all need is the forcible, full, rapid circulation through the lungs which is associated with active open air exercise in a minimum of clothing. The over clothed conjested living, with retarded circulation, galls a victim and pneumonia and tuberculosis are often the invariable result.

അദ്ധ്യാപകന്മാരുടെ ഉടുപ്പ്.

മുൻപറഞ്ഞ കാരണങ്ങൾ തന്നെ, അദ്ധ്യാപകന്മാരുടെ ഇപ്പോഴത്തെരീതിയിലുള്ള വസ്ത്രധാരണത്തിനും ബാധകമായിത്തീരുന്നു. ഉഷ്ണരാജ്യങ്ങളിൽ നാം വസിക്കുന്ന ജനങ്ങൾ ദേഹമാസകലം "അടച്ചുമൂടിക്കെട്ടി" വെക്കുന്നതു് എത്രത്തോളം ഗുണകരമായിരിക്കും? പകൽ ഫാ൦ മണി മുതൽ ര മണിവരെ—യാതൊരായാസവുംകൂടാതെ ഗൃഹത്തിൽ സുഖിച്ചിരിക്കുവാൻ കൂടി വയ്യത്താലിക്കുന്ന കാലങ്ങളിൽ—അടിയിലൊരു ഷർട്ട് മീതെയൊരു കോട്ട്

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കഴത്തലൊരുകെട്ട്, പോരെങ്കിൽതലയിലുമൊരുകെട്ട് ഇങ്ങിനെയെല്ലാമിരിക്കുന്ന അദ്ധ്യാപകന്മാരുടെകഷ്ടം എത്രവലുതാണ്?. കണ്ണടച്ചു വല്ലവരേയും അനുകരിക്കയെന്നല്ലാതെ എന്താണ തിന്റെ സാരം? യൂറോപ്പു മുതലായ ശൈത്യരാജ്യങ്ങളിൽ വസിക്കുന്നവർക്കു 'അഞ്ചാറു കുപ്പായവും' കാലുറയും തലക്കെട്ടും എല്ലാം വളരെ നല്ലതുതന്നെ. പക്ഷെ അത്യുഷ്ണമുള്ള രാജ്യങ്ങളിൽ അധിവസിക്കുന്ന നാം അവരെ അനുകരിക്കുന്നതു ഒരിക്കലും ആശ്വാസമായിട്ടുള്ളതല്ല. ദേഹം അടച്ചു മൂടി പുഴുക്കവയ്പ്പുകെട്ടി ജീവിക്കുന്നതുകൊണ്ടു, തല്ക്കാലം മരണം സംഭവിച്ചില്ലെങ്കിലും, ആയുസ്സിനു ഇളടങ്ങാവില്ലെന്നതു തീർച്ചതന്നെ.

Mr. S. F. Nunez.—May I know who the writer is?

President.—He has already said that his name cannot be disclosed. He knows that he is a distinguished writer.

Mr. C. A. Kunjunni Raja.—The same resolution was moved in the Ceylon Legislative Council and accepted by the Government.

Rao Sahib Mr. T. V. Kasturi Ranga Ayyar.—Can you please give the wording of the Ceylon Legislative Council Resolution?

Mr. C. A. Kunjunni Raja.—I have read it in the newspaper.

Mr. T. A. Ramachandra Ayyar.—Sir, it has been admitted on all hands that India was civilized even from the prehistoric times. We had the other day a statement from Dr. Muthu, the famous tuberculosis expert, that he can conclusively prove that India was very much advanced in medicine and surgery thousands of years ago. If then the Indian dress of the ancient days, followed to this day by thousands of Indians, was not and is not like the European dress, it must be because that the European dress is not suited to the Indian climate. Why then be a party to forcing on the unwilling Indians to ape the European? I know many a European wearing Indian dress and costumes while at home, simply because for the hot climate of India, to be booted, shirted, coated and hatted, is not after all a pleasant thing. But while going out, they either have not the courage to admit the folly of adopting European costumes in the hot Indian climate, or they are so patriotic as not to change their own costumes. But I cannot understand why the Indian should ape the European in the matter of dress; much less can I understand why the Government should be a party to enforce foreign costumes. The fact that my Hon'ble friend, the mover of the resolution, has changed his costumes of boots, trousers, coats and hats to the simple Indian dress of a *Mundu* and Shirt is proof positive to the fact that it is most unwise for an Indian to ape the European.

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President.—Please let me know the last words.

Mr. T. A. Ramachandra Ayyar.—To ape the Europeans.

President.—To ape the Europeans ? Certainly not. Those who wish a European dress, rise and oppose.

Mr. K. S. Rama Ayyar.—I am not for the European dress nor for the kind of dress proposed by the mover. I am for the kind of dress that is generally used in our country (and it is not a European dress) by officers, vakils and gentlemen. (*Hear, hear.*) People here generally do not use boots and trousers and these things. They do not generally ape the Europeans as some do.

President.—He must be allowed to use what he likes best and should not ape it. Where is the rule laid down for dress?

Mr. S. S. Koder.—I begin my opposition with the words, O! Lord ! has the Cochin Legislative Council come to this position towards the end of its first term that it has to deliberate, discuss and take part in the discussions as to what sort of dress should be worn by an officer, vakil, school-master, clerk and a menial servant when he attends offices, court, and school. Whether it should be *mundu*, *soman*, and shirt, and second cloth. This is the progress we have made after three years' experience in the Legislative Council and this is what I call progress downwards like yarn growing underground and not above grounds. Surely that also is a sort of progress and development. Have we got nothing else to discuss or deliberate except this question of second cloth or first cloth ? If it is a question on hygenic principles to wear less cloth in India I think the mover of this resolution could have brought it in such a way that we could all move about like Adam and Eve with a loin cloth, if necessary. Sir, we are taught that the respect of a person is his dress. Now the respect is shown in a shirt, *soman* or a second cloth. A respectable man would not go out to meet another respectable man in his shirt; but puts a coat over it. It would have been very interesting to hear what sort of jacket or jumper a lady should wear when she attends such offices, as I am sure, we have lady doctors, lady teachers, and I do not know if we have lady typists in the services, whether she should be full-sleeved, or half-sleeved or sleeveless. The same in the case of the shirts, whether it should be knee-deep, or ankle-deep. These are very important and higly necessary points in the dress of a lady when compared to a *soman* or a second cloth of an officer and school master. I wonder whether the mover has left out this important item.

Dr. A. G. Menon.—A point of information. Is a respectable man known by his dress ?

Mr. K. Achyuta Menon.—Adams' dress.

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Mr. S. F. Nunez.—Sir, I oppose this resolution. But in doing so, I am not surprised that the Hon'ble Member for Jenmies is not wrong in having tabled this resolution, because it is quite in keeping with the spirit of the times in India, India is being surcharged with nationalistic spirit. (*Hear, hear.*) Part of it is developed in the right lines and part of it unfortunately is in the wrong lines. In the matter of the Vernacularisation of education we have got so much said in favour of it as against it. Whether English should be dethroned from the precincts of the University is a matter which has roused the universal discussion in the country. Now, another question which has aroused the attention of the educated classes in India is in the matter of the dress. Now in the matter of dress we have to take into account the hygienic consideration—we have to take into account the economic considerations and also the question of national fitness. It is equally imperative in point of the spirit and enthusiasm of the times.

Now, Sir, economically, if you are not against introducing it, let each and every Member of this House be clad as Mahatma Gandhi, in loin cloth. I shall admire you all. Let the House set an example of sacrifice, and every Member show that such a spirit reigns supreme in his mind. Rich men alone should not have good things. Good things should be distributed universally among the poor tenants and all people alike. I do not wish to cast any slur here. The second point for us to consider is the hygienic aspect. There is no saying that for the tropical climate clothing is injurious. I mean the European method of clothing. It is indeed a problem and I must find it a hard nut to crack. It is not at all happy. Officials are compelled on ceremonious occasions to put on black woollen clothes especially when attending banquets, just like the lawyers' black dress.

Mr. A. B. Salem.—The colour must be black. They can have imitations also and not necessarily woollen patterns. There are many people who wear *Khadi*.

President.—It is only, in turban and long cloth, that there any compulsion, if at all.

Mr. S. F. Nunez.—But then you require trousers and boots. So, as regards hygienic principles I must say indeed it is only an adjusting among ourselves.

President.—Nobody wants you to use trousers and boots.

Mr. S. F. Nunez.—Then there is the question of fitness. European costumes if worn makes one fit for work. (*Laughter.*) Well, you may think I am exaggerating. Personally I am not one who would advocate all to use European costumes. There is no one who will deny he was actuated by patriotic motives and that if you are fit to face your opponents or even your

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friends there shall be some sense of physical fitness that you feel in your clothes and that is the reason perhaps that clothings make a man.

President.— "Apparel oft proclaims the man" says Shakespeare.

Mr. S. F. Nunez.—Shakespeare is a man who knew the Universe for all ages and times. I have the greatest appreciation for him.

The national spirit flows in my veins as strongly as in the mind of the mover of the resolution, and I shall be glad if some sort of adjustment on a universal basis would meet the hygienic and economic consideration which would also suit the consideration of fitness if a mode of dress could be evolved. Then it shall be a happy solution and I think we shall have to wait for a long time. The matter of dress is such a problem as the matter of a proper language in India is such an intricate political question. Social questions are more difficult than political and economic questions. It is for this and not for want of patriotism that I stand to oppose this resolution.

Mr. E. Ikkanda Wariar.—I rise to support the motion. I knew from the way in which this resolution was welcomed in this Council its fate that is hanging upon it. But still I am not at all surprised at it although I am very much pained, but I feel it is my humble duty to express my views on this point, whatever else the others may think about it. Of course I do admit that I cannot more beautifully express the views that I have than the way in which the Hon'ble Member did. The extract which he quoted summarises the whole case for the resolution. But I am only afraid that the Hon'ble Member had not the patience to hear or understand all that has been conveyed in that small passage which was read by the Hon'hle Member for the Jenmies. That contains the whole case in a nut-shell. But it is no wonder also that the President himself who has been always indulging to hear on every point from as many Members as possible and all sorts of views in all points has been thinking that there will be no seconder for this resolution.

President.—It is unnecessary. Did I think that there will be no-body to second the resolution? I only corrected. I was under the impression that the resolution ought to be seconded before it is further proceeded with and, of course Dr. A. G. Menon brought it to my notice.

Mr. E. Ikkanda Wariar.—Sir, I shall make my position clear. At any rate, I have not seen such a procedure in the case of other resolutions in this Council, and I would only

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put it in this way. If necessary I shall modify it in this way. The anxiety with which the President .....

President.—No anxiety, whatsoever. I wanted simply to save the time. That was all my object.

Mr. E. Ikkanda Wariar.—That was the opinion which I was able to form and that was confirmed, I am sorry to submit, by the subsequent conduct, by extending invitations to so many Members to say whether they are opposing the resolution or not.

President.—Did I extend any invitation to anybody ?

Mr. E. Ikkanda Wariar.—You asked 'Have you, Mr Nunez, to say anything about it?' I am only really sorry to see the atmosphere that is prevailing in this Council. Now to come to the point, so far as I was able to see here from the objections raised by the Hon'ble Members, the main point that was raised by the Hon'ble Member for Mattancheri is that one man's respect probably lies in his dress. I beg to submit that it is a wrong view. That is not the way in which we ought to take this matter. I am told respect and decency depends upon the way in which one keeps his dress, that is, it comes to a few rupees. It may be otherwise called a tailor's decency. It is none else. Do we really consider the other aspects, viz., the economic aspect, the hygienic aspect and various other considerations in the matter of our dress? The resolution, as the Hon'ble the mover has put it, is only permissive. If there are Members here who think that they will be considered respectful only if they adorn themselves in a particular fashion of dress, let them do it. The resolution does not prohibit it. It only says that persons who think that their respect does not lie in their dress and persons who cannot afford to purchase decent dress and persons who are perfectly satisfied with their own simple and national dress should not be compelled to wear a different form of dress. That is all what the resolution says. From so far as I was able to see that is all what it says. I am sure that every Member of this House will admit that so far as their health is concerned their simple national dress, viz., a cloth, a shirt and an *angavasthram* gives them more comfort. I do not agree with the Hon'ble Member for Anglo-Indians when he said that when we wear European dress we can do more work.

Mr. S. F. Nunez.—What about the Boys' Scout ? They are wearing shoes, etc.

Mr. E. Ikkanda Wariar.—Personally my own opinion is that it is so much an encumbrance that we feel very tired, we feel very unable to do work, we feel quite out of place, and we have not got sufficient freedom to move about, but it cramps our lives when we go out with this sort of dress, and this is the feel-

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ng that I have and I am sure there are a large number of persons also who share the view with me. Now I take the hygienic point of view. I have seen in this office and in courts where there are more than two dozen clerks wearing one coat and I have seen some people going to borrow the coats of others when they go to the chamber of the Judges or the Munsiffs. I have seen school masters—poor ill-paid school masters—with one coat, probably managing their whole career. Is it very hygienic?

Mr. S. F. Nunez.—Give them more pay.

Mr. E. Ikkanda Wariar.—Is it more healthy and more economic to wear this dirty and dusty turban, probably colonised by bugs and other insects? Do the Europeans wear turbans? Don't you insist the school masters to wear turbans when they go to school? They have to use it for five hours consecutively. Do the Europeans wear turbans? Is it not a heavy incumbrance? So, what I beg to submit is that from all these standpoints—from economic considerations, from considerations of health, from consideration of national aspect and from hygienic consideration—as very well emphsised by my Hon'ble friend the Member for Anglo-Indians—when all these points are considered I think this is not a question which should be laughed at or which should be disposed of in this way. I therefore request all the Members of this House to consider this question from a more serious aspect. It is a question which affects you and me and everybody, it affects the poor school-master, it affects the poor ill-paid clerk and it affects so many other people. This resolution is permissive. I therefore request every Member of this House to consider this question in that light and vote for this resolution.

Mr. M. K. Raman.—Sir, I rise to oppose this resolution. I am afraid the Hon'ble Member for Jenmies is trying to take us back about one century or even more. We studied English, and we have been moving in these advanced times. We are not following the old system of *Gurukulam* but we are moving in an entirely new atmosphere and to think now to go back to the old stage of a *mundu* and a *soman* is almost impossible. I would ask the Hon'ble Member why he has introduced the shirt? (*Hear, hear.*) Why can we not have a *thorthumundu*? Shirt is not our national dress. I believe that respectability of a man can be judged from his appearance by the mode of his dress. How else can we understand the respectability of a man? As soon as we see a man, we take him by what he appears to be. The external feature is the indication of the internal nature of the man.

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Mr. C. A. Kunjunni Raja.—Shirt was also the national dress.

Mr. M. K. Raman.—The Hon'ble Member wants all the officials, vakils, school-masters and everybody else to dress with *mundu* and a shirt and a *soman*. The officials have to keep up their dignity, and I believe that a certain kind of respectable dress is necessary for the officials. The maintenance of their prestige and dignity is essential and the dress goes a great way. It would look very awkward if our Chief Court Judges and our Diwan were to come to Office or Court with a *thorthumundu* and a shirt. (*Laughter.*) It will not be decent if the vakils practising in the Chief Court were allowed to go to Court with a *soman* or a *thorthumundu*. I think it to be ridiculous, judging from the present circumstances, for us to go back to the old stage. This reminds me of the old *Gurukula*, where, in the house of the Gurus, all the disciples used to sit together and do the menial work in the Guru's house such as collecting fuel, cooking food for the Guru, etc. We are not moving in that atmosphere now. Conditions have changed. If the school-master were to ask the pupils to do any sort of work for him, the pupils would refuse and they are entitled to refuse also. I think it is too much for any of us to think, under the existing circumstances, to go back to that antiquarian stage. I believe it is absolutely necessary that all the officials, vakils and the other Government servants should have a respectable dress. I don't insist that all people should put a hat on. Those who like may put on hats. Boots are also not insisted upon. Many of our officials have turbans and many appeared in European costume. A decent and respectable dress is absolutely necessary. I think there is no necessity to introduce any change in the existing system. We know how to dress respectfully and appear decently. I think this resolution is unnecessary.

Mr. A. B. Salem.—I rise to oppose the resolution. I should have thought that the Hon'ble Member for Jenmies should have left this question alone. Sir, it is the dress which speaks of the man, and I do not think that in the whole history of India, in the most ancient times even, that dress was not prescribed. Certain dignitories always have to done a certain kind of dress and these rules have been observed in the East. I belong to an Eastern nation. I am proud that we are in the middle of the earth between the West and the East, and so we can enter into the feelings of both the nations. According to our divine laws proclaimed by Moses even the Priesthood had his own dress prescribed. We have in our State ceremonial occasions and in all those occasions the dress of the ruler, the dress of the Diwan

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and other dignitary officers is prescribed. Of course for the general rank and file they can put up any dress. I do not think it is proper on the part of the Legislative Council to dictate as to what kind of dress should be put by the lawyers. The Chief Court has prescribed certain dress and we have framed certain rules. I think we have also made it a rule in the schools as to what the minimum dress of a child should be and I think it is not insisted upon that they must have a coat on. I think a simple shirt is sufficient. If they can afford to put anything more they are at liberty to do so. No head dress is prescribed. Under such circumstances we have got the simplest dress. The absence of a rule prescribing the dress to be used by officials is not in keeping with the dignity of the office. I think that dress is wanted for decoration and also for decency. I am sorry, Sir, that you have not prescribed the minimum kind of dress for the Legislative Council. I should have been glad if such a dress rule has been prescribed. I say a certain prescription—a certain rule—must be observed in all these matters This would give the institutions a certain uniformity and a certain amount of dignity attached to uniformity and in the olden days and even now in the Durbars in Cochin and elsewhere a certain kind of dress is prescribed for particular kinds of occasions. Now-a-days I do not see any rule prescribing the dress. I may tell an instance to the Hon'ble Member for Jemies that in Mysore a certain high official of the Madras Government appeared to see His Highness the Maharaja. The Maharaja sent word that there was a prescribed dress with which the gentleman going to interview with him should appear and the particular gentleman was not prepared to put on that dress and His Highness went to the extent of refusing to see the gentleman. He said "I cannot put on this dress." And His Highness said "I cannot see you." I think that is national. That comes from the ruler of an Indian State and he insists on a particular dress. In Travancore also there is a particular dress. Therefore the prescription of dress is an all important matter. If you want to put the dress like Mahathma Gandhi you may do it provided you have the same feelings like him. But if you have not got the feelings you will not be honoured at all. I think therefore that this resolution is an unnecessary one and I do not think it should be pressed to a division.

Mr. K. Raman Menon.—I also stand to oppose this resolution. The matter of dress is a matter of one's social idea. Each man thinks what dress is better for him and he wants to appear in a decent dress—dress which he thinks decent. It is not only to keep self-respect but also to keep the respect of

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others. Our notions of dress is changing from time to time. We have reached a stage in which the people of our country have adopted the European kind of dress. Of course we are everyday imbibing the European notions and European spirit, because that is the spirit of our Ruler, and that is taken as a sign of enlightenment, and to conform ourselves with the enlightened notions and ideas we are also adopting them. People who are loyally attached to their Ruler are also very willing to adopt European dress. Properly speaking there is no national dress. The resolution moved by the Hon'ble Member that we are to appear with shirts and second cloth on, does not appeal to me. In my opinion it won't look decent. So I must strongly oppose this resolution which is brought forward.

Mr. George Chakkyamuri.—I also oppose this resolution. I do not want to make any lengthy speech, and I endorse each and every word uttered by my predecessors. I only want to raise one point, and that is, in the Chief Court rules it is laid down that all vakils should wear black dress. I do not know what useful purpose will be served by that. I want to know whether this can be rectified by the Government.

Mr. E. Ikkanda Wariar.—Black dress will absorb more heat.

President.—I think the rules are framed by the Chief Court. You should move the Chief Court. The Government has nothing to do with them. If you move the Chief Court and the Chief Court do not change them, then come to the Government. Any of you can approach the Judges in the matter.

Mr. Chakko Cheruvattur.—Will the mover of the resolution inform me how, instead of the European method of taking off the cover of the head we put it on our head on entering an office. Generally, Europeans, when they enter into the house, take off their hats. We have got a topsi-turvy method. For decency, why do you cover your head? How does this topsi-turvy method come into force in India?

President.—You are not compelled to wear a turban when you have the hair cropped.

Dr. A. G. Menon.—For that you must wear trousers.

Mr. M. Krishna Menon.—I wish to add a word, even though this is an unnecessary resolution. I oppose the resolution on the ground that first of all we have absolutely no right to decide our own dress—what we should wear. We invariably dress to please others and not to please ourselves. During the time of the Muhammadan rule, almost all our officers were wearing the Muhammadan dress. The relics of that even now will be found in the peons' dress in the Huzur Office. When I was a boy, I have seen the Diwan wearing a dress which was purely

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Muhammadan with all sorts of ties on all sides. When I joined the college, I have seen vakils in Muhammadan dress. Vakil Mr. Vakkat Govinda Menon was the last of that batch. When I joined the bar, I found that dress at the bar also. With the advent of the Portuguese and subsequently of the British, we began to imitate their dress, first of all with coats, trousers, then with collar and necktie, simply to satisfy them. If we go and ask for an appointment and if we go without this dress before them, we are nowhere. If we go to Madras, we see European Professors and if we ought to be in their good looks we must be dressed as they are. And the dress apparently proclaims the man, even if he is a *sannyasin*. That is the motto. So, we have absolutely no right to decide what dress we should wear. Whatever dress pleases the master, we have to wear. That is the universal truth. There was a time even in Ernakulam College when boys were studying without even a shirt. There was not a single boy with a shirt till I left the Ernakulam College and the present Diwan Peishkar was one of the teachers at that time. He can certify to that.

Rao Sahib Mr. T. V. Kasturi Ranga Ayyar.—Yes. I certify.

Mr. M. Krishna Menon.—When we were studying, there was no shirt at all. Then coat, shirt and cap came in afterwards and subsequently coat and cap were given up.

Now, there is another thing also, especially in the profession of vakils. If you are not in proper dress with necktie and collar—the parties will think that you are briefless and that is why the Chief Court introduced a black coat and gown. Even if it is soiled and torn you can use it all your life-time. The black coat and gown covers all the sins. And my friends stand up and complain. It is not without some meaning that these changes were introduced, but some may appear ridiculous. But it is with certain object and there is nobody to blame for it oneself. Why should we wear collar and necktie. Decency does not mean collar and necktie. You must have a coat or something to cover the body. Nakedness should be covered. No Government insists upon collar and tie. Some have tuft in the front, some in the back and some others have tuft on both sides and so the Government or the people themselves thought that our nationality need not be made public and so began to wear some kind of head dress and when everything is cropped no head dress is wanted. That has become the rule. When there is a symbol of nationality on your head it must be covered. So this is not a point for us to discuss or decide. It must be left to each individual to his own taste. The Legislative Council

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or the Government need not pass any rule with regard to that. I oppose,—

Mr. C. A. Kunjunni Raja.—Each individual must be given freedom.

President.—Let it not be understood that non-official Members alone spoke on the subject.

Rao Sahib Mr. T. V Kasturi Ranga Ayyar.—Of course I oppose the resolution as it stands, I have always thought that life is monotonous, especially life in our Legislative Council from 11-30 to 5, which is a little more monotonous. But now I find, in the discussion of this resolution, a sort of break, in the dull monotony of life of our existence. We had very enlivening and interesting speeches. After all, I don't know, whether we can be like Adam and Eve in these days. Dress is a very necessary evil. But that is an evil recognised even by the Gods. Dress satisfies four things. The Hon'ble Member, the mover of this resolution as well as the Member for the Jewish Constituency, have anticipated these four things. Dress makes up for distinction, decoration, defence and decency. Dress is intended for these four things. I read this description in an article on dress in an English Journal just a fortnight ago. That was a very long article. I happened by an accident to read that article. That was a masterly essay on dress. Dress always makes for distinction, decoration, decency and defence against bad weather, good weather, etc. We have read in our ancient *puranas* that even when Lord Sree Rama's *abhishekam* took place, he was beautifully and decently dressed. Every one wore a turban then. A turban was a very necessary article of dress, everywhere in India. Even now, I know that in some parts of South India, Tinnevelli and other parts, there are old fashioned men wearing huge turbans, One will have only *soman* and an *angavastram* in addition to turban. That makes up for decency there. I have heard that it is only in Bengal that there is no national head dress. In all other places, head dress is the most important. The bigger the head dress, the more respectable the man will be. I know officers of old who, on entering service. purchase big turbans for Rs. 35 or 50 and use this till the end of their service. Big turbans only secure distinction. If you appear with a muslin turban or a kind of turban that I am now wearing, you will be tabooed then. There must be a beautifully laced turban, red, or violet, or blue or some colour. You purchase a turban when you enter service and keep it till you retire and the kind of turban proclaims that officer. If the officer is a big judge, his turban must have more lace. So, it was that a turban indicated distinction. When I was a boy every officer used to

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have a turban. Afterwards, the pith turban came into existence. Even officers, judges and others used to wear pith turbans, and after some time the pith turban was considered to be most indecent. I was once taken to task for wearing a pith turban. I wore a pith turban and I had to appear before my superior, and of course he was one who had some interest in me. He said "you should not wear this kind of turban. You should wear a beautiful muslin turban." So these ideas about dress changed from time to time. Even now, I do not know whether we have any law or any rule that we should appear in hats and boots. You need not imitate European dress or any other dress like that. There are no written rules. I find on making some enquiries that the Chief Court has issued some orders about the dress to be worn by the vakils and the Judges. We have no rules as to how the people should dress when they appear before the public. They may wear a shirt and a second cloth or any dress they may choose. There is a kind of coat for which no shirt is necessary with 5 or 6 buttons and there is a *soman* or a *mundu* and a kadir upper cloth. Even in public offices clerks and other officers appear in that kind of dress. Nobody has issued any hard-and-fast rule. Dress will take care of itself provided all these four conditions are fulfilled. It is only in courts where some decency has got to be observed and, as was very eloquently observed by the Member for Vyttila, some kind of distinction is necessary. "The apparel proclaims the man." If you go to a court with a *mundu*, you will not be allowed access there. I hardly see any reason why, in council like this, where we have serious business to transact, we should spend so much time on the question of dress. Dress will take care of itself and it is even changing day after day, hour after hour, and even in our life-time we can see fashions changing.

Rao Sahib Mr. C. Matthai.—With your permission, I shall make a few observations. I do not think there is much to add to what the Diwan Peishkar has said on the subject of the resolution. He has explained the attitude of the Government. Well, as we have heard it said here, dress is a matter of convention and Government do not desire to see that undue restrictions are placed on the freedom of its servants. But there is such a thing as decorum and decency and we have got to see that these standards are conformed to. I understand that the question was referred to the Chief Court and they have expressed the opinion that the form of dress suggested by this resolution would not be acceptable for their department. Well, that is a judicial pronouncement by the highest tribunal, as I take it.

President.—That is only the opinion of the Judges.

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Rao Sahib Mr. C. Matthai.—Any way it is a pronouncement coming from the highest tribunal of the land and we should pay all due respect to it. And then reference was made more than once to the Education Department, which I have the honour to represent. Some of the speakers depicted graphically the woes of school masters and of students attending schools. Well, I may bring to the notice of this House that some years ago we made certain modifications in regard to the style of dress that should be worn by the lower grade officers of the department——our primary school teachers. At one time the wearing of coats and turbans was insisted on. But then we found that it was prejudicial to personal cleanliness, for one thing; and so we have now laid it down that a very much simpler form of dress would be accepted in the case of these low paid teachers in the Educational Department. We do not insist on their wearing coats and turbans. It was often found that the same coat had to do duty for weeks together without going to the washerman, and it was perhaps worse in the case of the turban. The turban sometimes had to serve from year's end to year's end, all the time accumulating dirt and perspiration in the course of its long service. So we found that these things were not conducive to personal cleanliness; and if teachers themselves do not set an example of cleanliness we can understand what unhealthy influence it would exercise on their pupils. So we made representations to Government and Government were pleased to approve of the modifications proposed. So that members here would be glad to note that in the case of low-paid teachers we allow more or less the sort of dress that is suggested in this resolution. I may point out one difference, however; in our dress regulations we do not permit the use of the shirt. Because the shirt is really a European under garment and it is not a respectable thing to use it as an outer garment; and therefore in our rule we have used the words 'Indian Baniyan.' A Baniyan according to our Indian notions is a decent form of outer garment. That is all that we insist on in the case of these low-paid officers. But in the case of secondary teachers and of our higher grade officers we even now insist on their wearing coats and turbans, and I do not think that there is any really great hardship in regard to the matter. Of course a person is allowed to dispense with the turban if he is so inclined, provided the result of his dress is in conformity with that standard. But we do not permit our officers to appear in any form of dress. That I think, answers the requirements of the service. We have got to see that a certain amount of deceny is maintained and that is all we insist on. So, as the Diwan Peishkar has

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already said, I must say that, while permitting all legitimate freedom, we, on the side of Government, regret that we are not in position to accept the resolution as it is presented to the House today.

President.—Does not the Hon'ble Member wish to exercise the right of reply and press the resolution to the vote of the House ?

Mr. C. A. Kunjunni Raja.—No.

The question of accepting the resolution was put to the vote of the House and was lost.

The House adjourned for the day at 5. P. m.

T. K. KRISHNA MENON,
Secretary to the Council

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